



FMCS

FEDERAL MEDIATION &
CONCILIATION SERVICE

Role and Function of the FMCS

January 2018





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FEDERAL MEDIATION &
CONCILIATION SERVICE

Statutory Mission



Created in 1947 as an
Independent agency
under Taft-Hartley Act



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Statutory Mission



Neither a regulatory nor an enforcement agency, but a neutral party designed to assist labor and management



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Statutory Mission



Make available full and adequate government facilities for conciliation, mediation and voluntary arbitration to aid and encourage [the parties] to settle differences through collective bargaining.



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Statutory Mission



Helps parties resolve
collective bargaining
disputes which threaten the
free flow of commerce



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Statutory Mission

Make its services available to Federal agencies to aid in the resolution of disputes through assistance, training, and the provision of neutrals.





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FMCS Mission



Promote sound and
stable labor-
management relations;

Prevent or minimize work
stoppages;

Advocate collective
bargaining, mediation,
arbitration;



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FMCS Mission



Advocate the art,
science and practice of
ADR;

Provide conflict
resolution services;

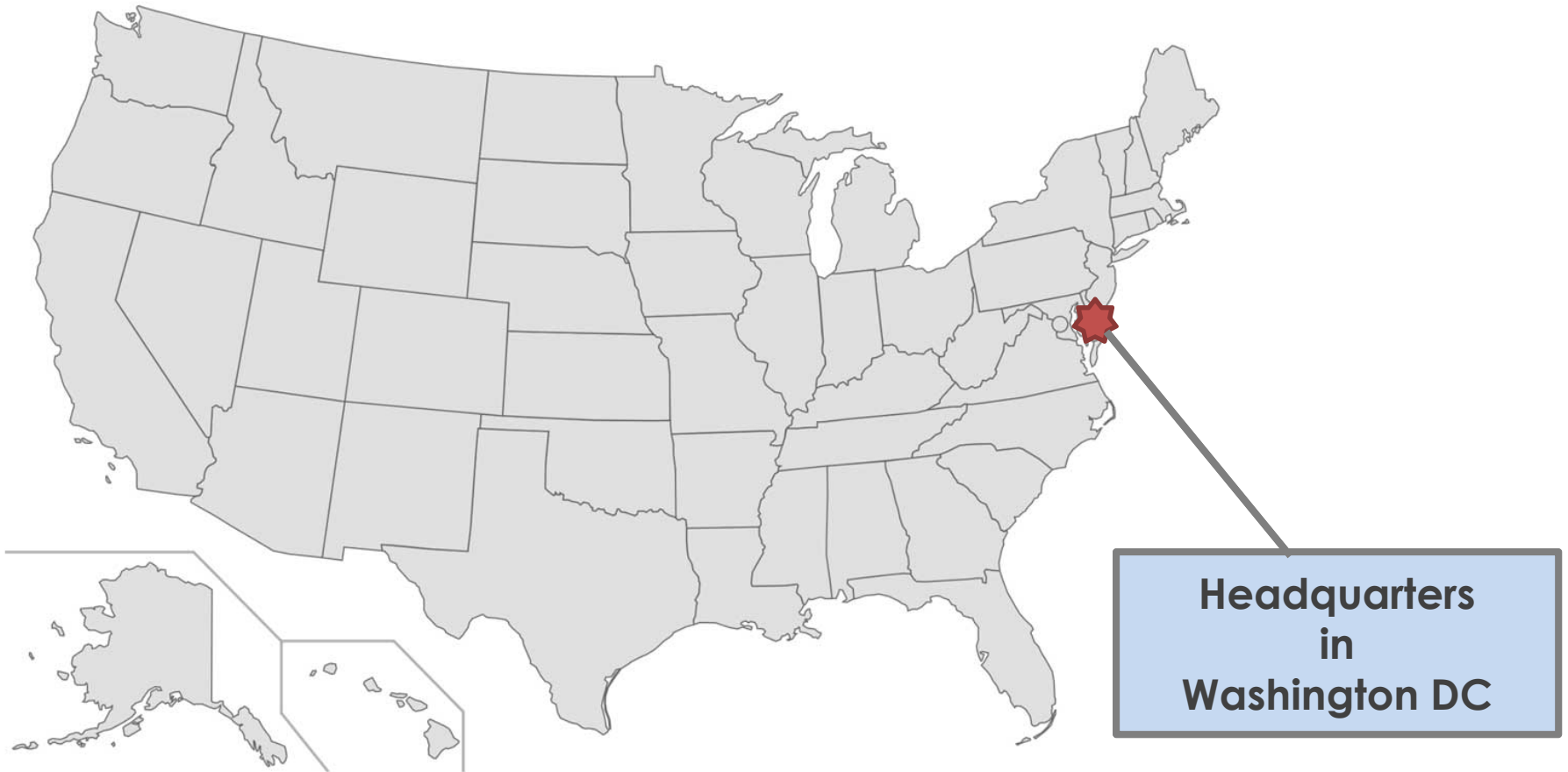
Foster improved labor-
management
relationships



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FMCS Structure

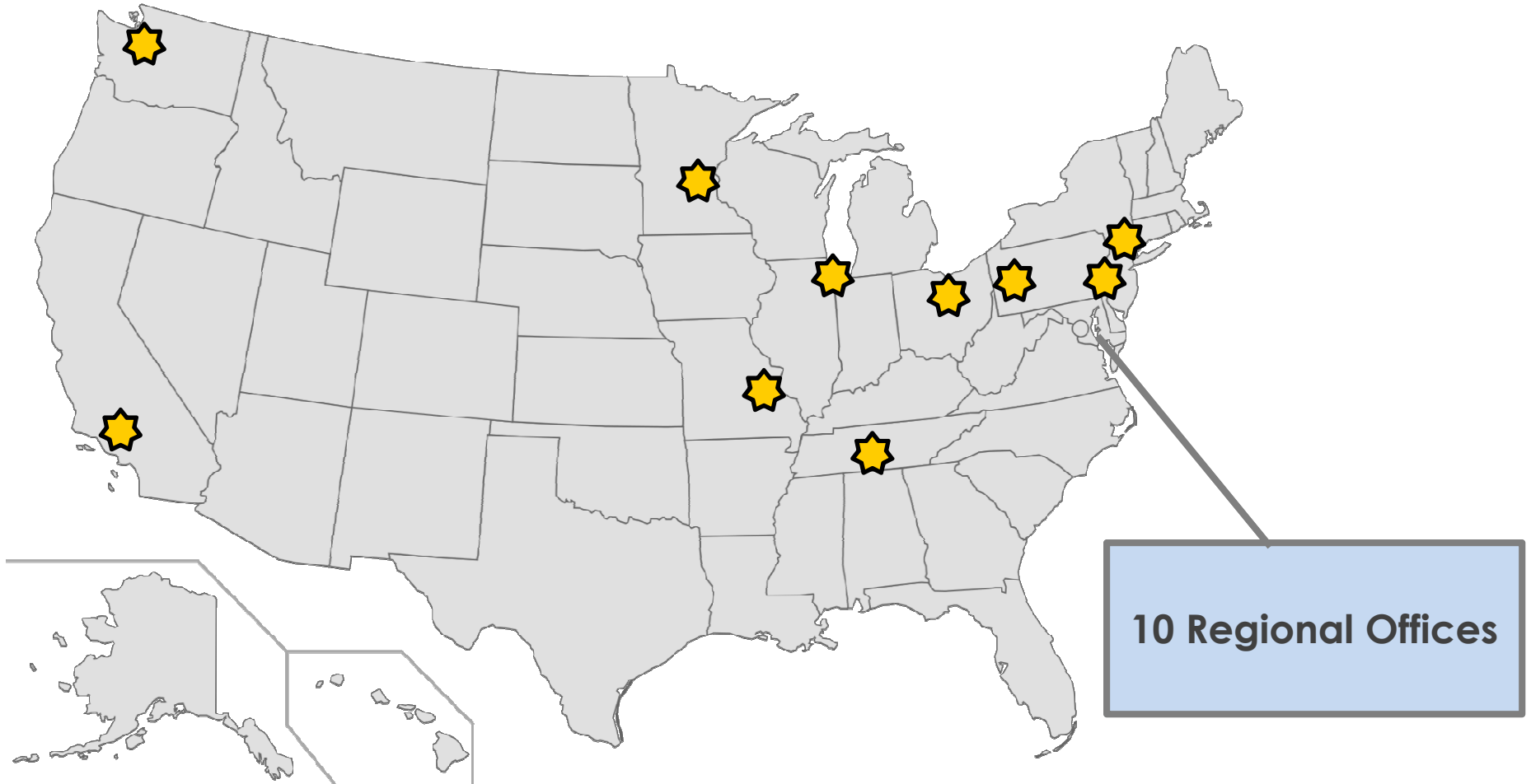




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FMCS Structure

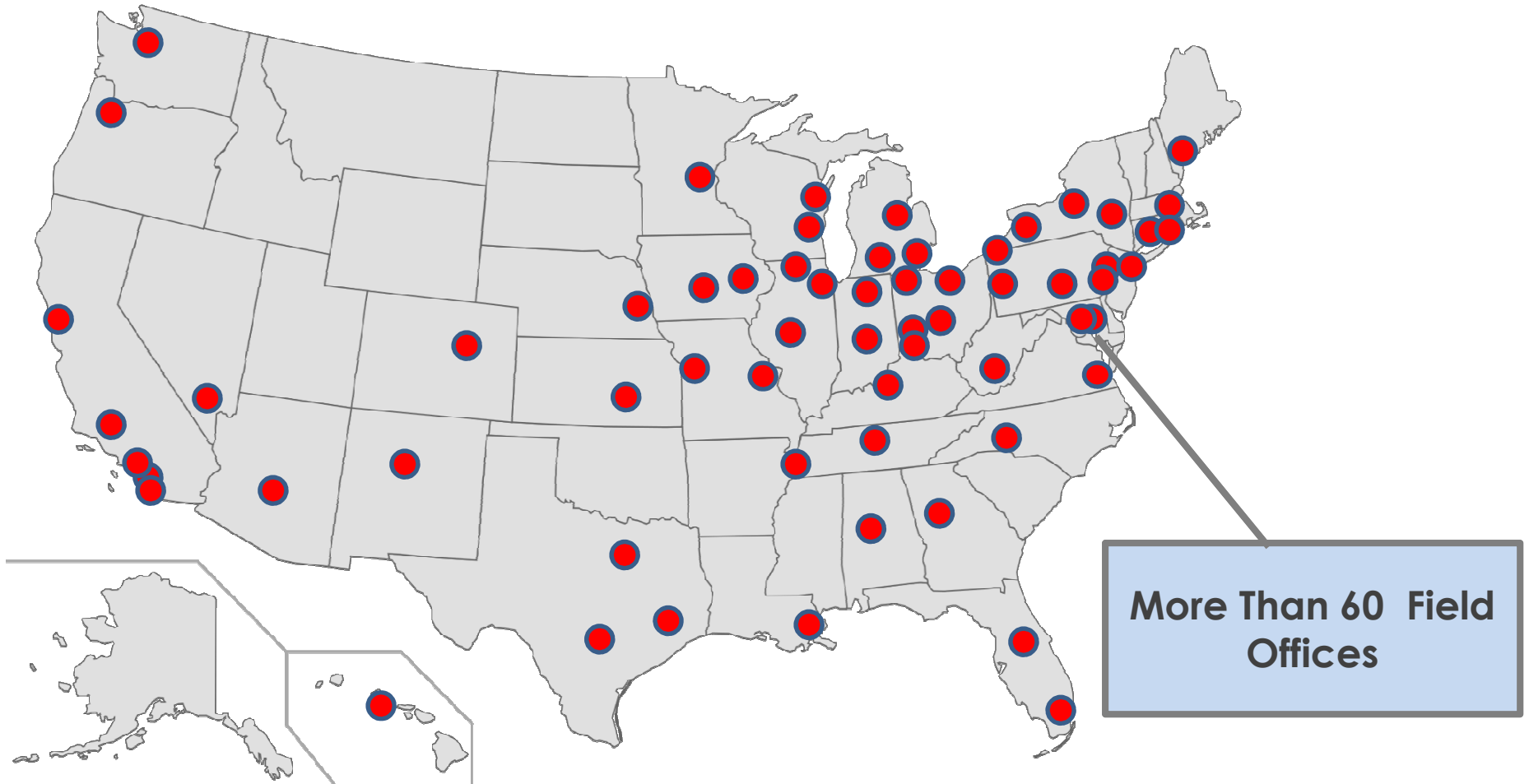




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FMCS Structure





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FMCS: How Can We Help You?





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How Can Mediation Benefit You?

Mediation, the use of a third-party neutral, can help you “bridge the gap.”





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Mediation: An Effective Tool for Conflict Resolution

- Parties retain control of resolution
- Voluntary (in most cases)
- Informal vs. formal process
- Time efficient
- Cost effective





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A Mediator Can...

Help Parties

- Clarify issues
- Define problems
- Generate options
- Explore alternatives





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A Mediator Can...

Help Parties

- Keep Talks Moving Forward
- Make Suggestions





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A Mediator Can...

Help Parties

- Establish Realistic Expectations





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FMCS Services

- **COLLECTIVE BARGAINING MEDIATION**
 - *Private, Public, and Federal Sectors*
- **RELATIONSHIP DEVELOPMENT AND TRAINING**
 - *Customized training for labor and management*
- **GRIEVANCE MEDIATION**



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FMCS Services

- **ARBITRATION SERVICES**

- *Maintains a nationwide roster of highly qualified arbitrators and promotes the advancement of fair and effective labor arbitration*

- **EDUCATION, ADVOCACY, and OUTREACH**

- *Of Collective Bargaining and Dispute Resolution Processes and Services*



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FMCS Services

- **EMPLOYMENT MEDIATION and NON-COLLECTIVE BARGAINING ADR SERVICES**
 - *As an alternative to litigation of non-labor employment disputes, public policy and regulatory disputes*
 - *Includes consultation, convening, design, training, and neutral services*



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FMCS Institute

- Unique Training
- The FMCS Institute for Conflict Management delivers conflict resolution training that's accessible, practical, experience-based and directed towards individuals and small groups of employees and managers.



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The Impact of Mediation on the Bargaining Process

- In fiscal year 2017, FMCS mediators:
 - Actively monitored more than 11,000 collective bargaining negotiations
 - Actively involved in mediating more than 3,200 collective bargaining negotiations
 - Achieved settlement in 87.1% of the cases



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FMCS by the Numbers A National Look – FY 2017*

- More than 19,000 Notices Filed with FMCS
- 11,280 Assignments to Mediators
- 3,230 Active CB Mediations

*FMCS Closed Case Data



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FMCS By the Numbers A National Look – FY 2017*

- 1,956 Training Programs Conducted (RDT)
- 1,650 Grievances Mediated
- 1,200 Employment Mediations Conducted

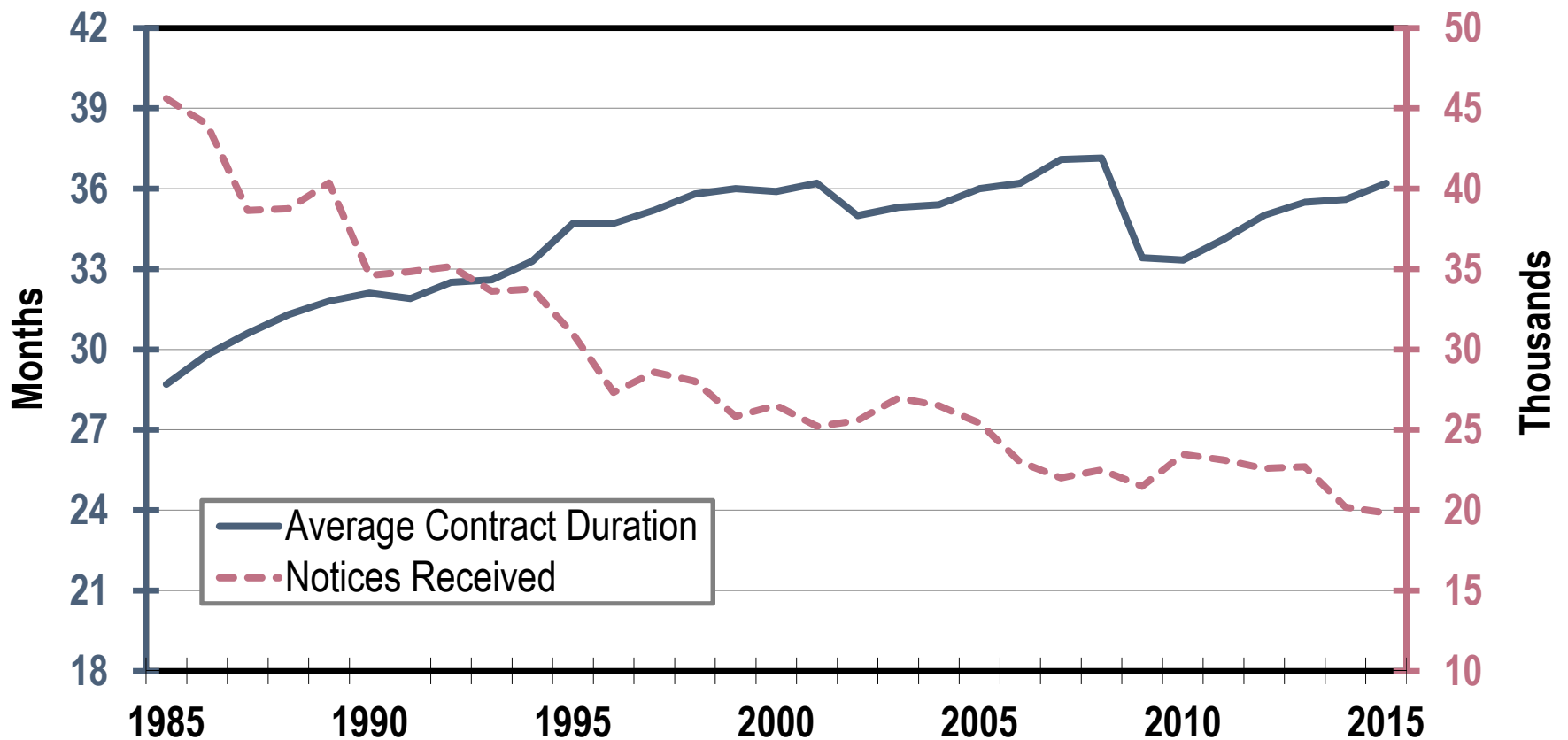
*FMCS Closed Case Data



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Bargaining Notices Received and Contract Durations, 1985-2015



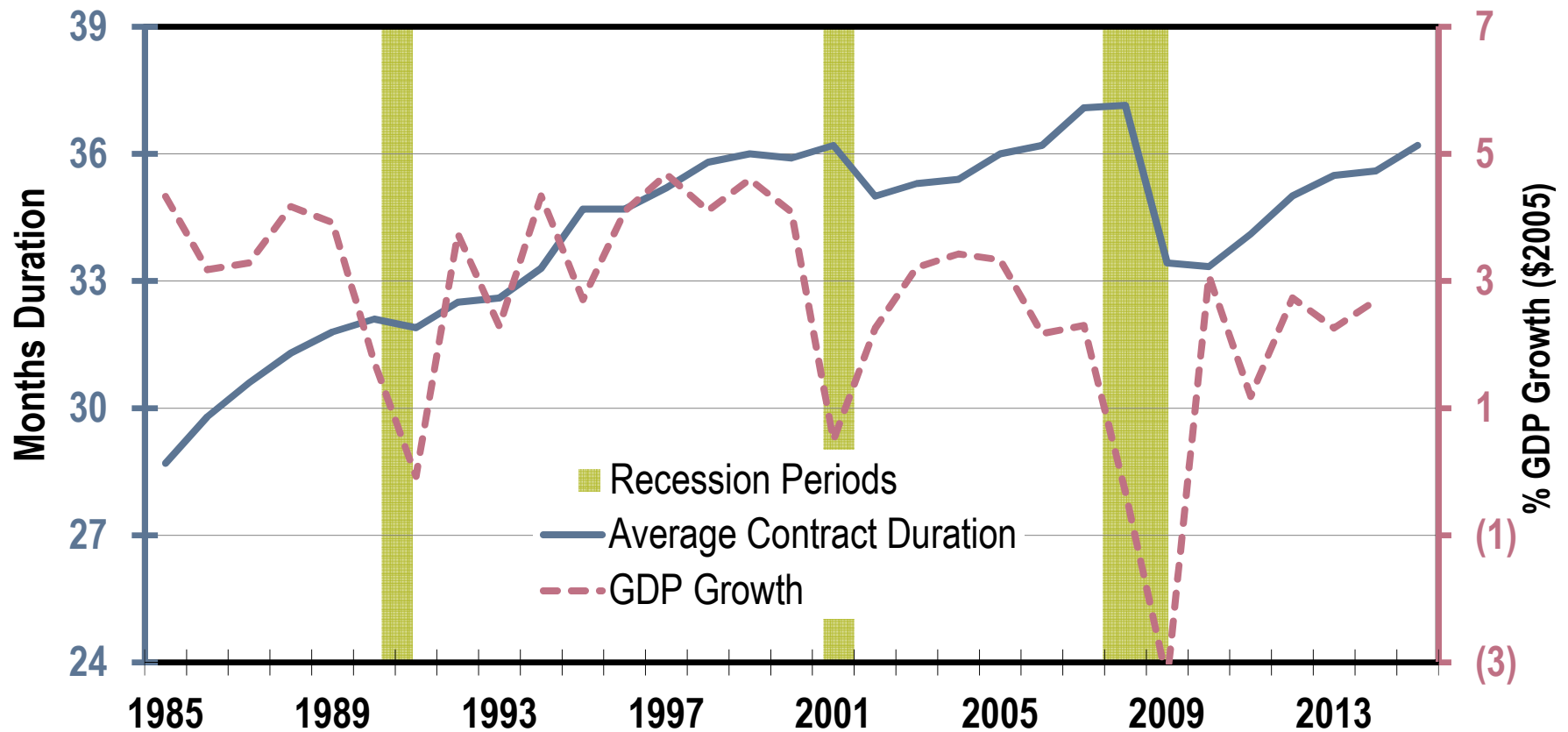
Source: FMCS Annual Reports



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New Contract Durations v GDP Growth, FY 1985–2015



Sources: FMCS; Department of Commerce; National Bureau of Economic Research



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ADR Services for Government

- Outside the collective bargaining arena, FMCS provides employment mediation services to the Federal sector and to state and local governments.





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ADR Services for Government



Our services help reduce litigation costs and promote better government decision-making.



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Arbitration Services



- Through its Office of Arbitration Services, FMCS administers a roster of over 1,000 highly qualified and experienced arbitrators



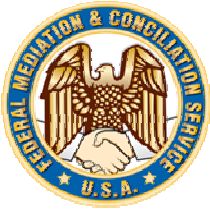
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Arbitration Services

- Arbitrators are selected for the roster based on standards of excellence in a process overseen by the Arbitration Review Board and subject to approval of the Agency Director





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Arbitration Services

- In FY 2017, FMCS provided more than 11,800 arbitration panels to requesting parties, with more than 5,200 arbitrators from the FMCS roster appointed by the requesting parties to hear their dispute.





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Cooperative Relationships

Keys to Cooperative Relationship of *Any Kind*



COMMUNICATION

(Develop joint problem-solving teams)



COMMUNICATION

(Don't let problems fester)



COMMUNICATION

(Be honest about issues)



COMMUNICATION

(Know when to get help)



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For More Information:

www.FMCS.gov